

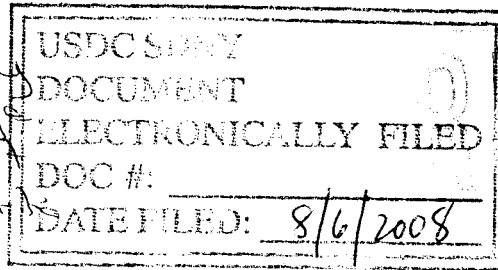
Application granted. Plaintiff shall serve and file the Amended complaint by September 1, 2008. The conference set for SC ORDERED: September 4 is adjourned to October 10, 2008 at 11:30 a.m.

William H. Pauley III
WILLIAM H. PAULEY III U.S.D.J.
8/6/2008

July 29, 2008

Kareem S. Perry
Downstate Corr. Facility
122 Red Schoolhouse Rd.
P.O. Box 446
Fishkill, N.Y. 12524

Honorable William H. Pauley
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: Perry v. Mandell
08-cv-2196

Dear Judge Pauley:

By order dated June 24, 2008, Your Honor directed me to file and serve an amended complaint naming the appropriate defendant, along with the copy of the order, by August 1, 2008.

I wrote out the amended complaint, naming the right defendant but before I could mail it to the court and a copy to defendant's counsel, I was transferred to Downstate Correctional for a court appearance. I brought with me three (3) bags containing all of my legal files and documents with the intention of mailing out the amended complaint from Downstate.

I arrived at Downstate on July 7, 2008, and every day thereafter requested my legal files from correction officials but the legal files were not delivered to me. On July 10, 2008 while going out to court, I was told by prison officials that I could not take the three (3) bags to court and to only take what I needed for that court specific court proceeding. I stated to prison officials I did not need anything for that court proceeding. Instead of sending my legal files up to my housing location as they should have done since I had another court

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appearance date the following week, which documents were needed for, the officials sent my bags containing all of legal files back to Upstate Correctional on July 11, 2008. In one of the three bags was the amended complaint.

I've sent a number of correspondences to correction officials at both Upstate and Downstate. In response from the Downstate officials, I was told that my bags will remain at Upstate (see attached).

Therefore, I respectfully request that Your Honor grant me an extension to file and serve the amended complaint to September 1, 2008.

cc: Donald Nowve, Esq.
Asst. Atty General
120 Broadway
New York, N.Y. 10271

Respectfully Submitted,
Farzam S. Perry

Skip Hughes
IGRC Supervisor
Downstate Corr. Fac.
122 Red Schoolhouse Rd
P.O. Box 445
Fishkill, New York 12524



BRIAN S. FISCHER
COMMISSIONER

STATE OF NEW YORK
DEPARTMENT OF CORRECTIONAL SERVICES

DOWNSTATE CORRECTIONAL FACILITY

BOX 445 - RED SCHOOLHOUSE ROAD
RD NO. 1 FISHKILL, NEW YORK 12524
(845) 831-6600

PAUL W. ANNETTS, M.J.A.
SUPERINTENDENT

MEMORANDUM

TO: Perry, K 93A5130
FROM: J. Brightbill, Lt.
SUBJECT: Court Bags
DATE: 7/21/08

Be advised, Officers McDonough and Craig from the Downstate CF Draft area report that on 7/10/08 you informed them you did not need to take the court bags that arrived with you to court. The bags in question were then returned to Upstate CF which is your home Facility.

Downstate IRC reports they have not received notification of any future court appearances scheduled for you therefore your court bags remain at Upstate CF

A handwritten signature in black ink, appearing to read "J. Brightbill Lt.", with a stylized flourish at the end.